

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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IN RE MUNICIPAL DERIVATIVES	)	MDL No. 1950
ANTITRUST LITIGATION	)	
	)	
	)	Master Docket No. 08-02516 (VM) (GWG)
	)	
THIS DOCUMENT RELATES TO:	)	
	)	
	)	
ALL ACTIONS	)	
	)	

**PLAINTIFFS' UNCONTESTED MOTION FOR PRELIMINARY APPROVAL OF  
SETTLEMENT WITH DEFENDANT BANK OF AMERICA, N.A.**

Plaintiffs hereby move for an Order granting preliminary approval of a settlement agreement between Plaintiffs the City of Baltimore, MD, the Central Bucks School District, and the Bucks County Water & Sewer Authority (“Class Plaintiffs”), individually and on behalf of the putative class of purchasers in this action (the “Class”), and defendant Bank of America, N.A. (“Bank of America”).

Pursuant to the Settlement Agreement with Bank of America, a copy of which is attached hereto as Exhibit 1, and as described in the accompanying Memorandum of Law, Bank of America has agreed to pay \$20 million, or with a potential opt out reduction, \$19.25 million, in exchange for dismissal of claims by the Class against Bank of America in this litigation. In addition to this amount, Bank of America has agreed to pay toward this settlement any funds remaining in the Bank of America State AG Escrow Fund that, as of the date that Notice is issued, Bank of America has access to pursuant to the terms of the Bank of America State AG Settlement.

Therefore, pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, Plaintiffs respectfully request that the Court enter an Order:

(a) Preliminarily approving the Settlement Agreement;

- (b) Conditionally certifying the proposed Class as defined in the Settlement Agreement;
- (c) Appointing Interim Co-Lead Counsel as counsel for the Class pursuant to Fed. R.Civ. P. 23(g);
- (d) Staying the proceedings against Bank of America in accordance with the terms of the Settlement Agreement; and
- (e) Granting such other and further relief as may be appropriate.

This Motion is supported by the Settlement Agreement; Plaintiffs' Memorandum of Law in Support of Motion for Preliminary Approval, submitted herewith; the Declaration of Michael D. Hausfeld, submitted herewith; all pleadings filed in this case; and such additional evidence or argument as may be presented to the Court. This Motion is uncontested by Bank of America.

Dated: December 4, 2013

Respectfully submitted,

/s/ Michael D. Hausfeld

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